

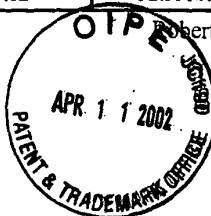


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/021,403	12/12/2001	Robert J. Schwartz	HO-P02021US1

26271  
FULBRIGHT & JAWORSKI, LLP  
1301 MCKINNEY  
SUITE 5100  
HOUSTON, TX 77010-3095



CONFIRMATION NO. 3652

## FORMALITIES LETTER



\*OC000000007440606\*

Date Mailed: 02/07/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

04/18/2002 HBERHE 00000010 10021403

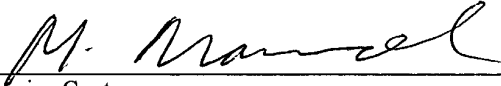
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65.00 DP

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU186310115US, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: 04-11, 2002 Signature: Susan Hunter  
04-11-02

Docket No.: HO-P02021US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Robert J. Schwartz, et al.

Application No.: 10/021,403

Filed: December 12, 2001

For: ADMINISTRATION OF NUCLEIC ACID  
SEQUENCE TO FEMALE ANIMAL TO  
ENHANCE GROWTH IN OFFSPRING



Customer No. 26271  
(10021476/OTA 00-91/AVSI-009)

Group Art Unit: 1645

Examiner: Not Yet Assigned

**TRANSMITTAL OF INITIAL SEQUENCE LISTING**

**Box Sequence**  
Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

This is in response to the Notice to File Missing Parts dated February 7, 2002. Applicants are submitting their response herewith within the response period set to expire on April 7, 2002.

Enclosed are the following:

- Initial paper copy of sequence listing;
- Initial computer readable form copy of sequence listing; and
- Copy of Notice dated February 7, 2002.

Applicants respectfully request the entry of the present statement in regard to the enclosed sequence listing in the above-referenced application.

Applicants state the information recorded in the computer readable form copy of the sequence listing is identical to the paper copy of the sequence listing.

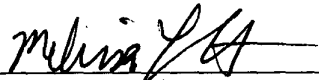
Applicants also state that the submission does not include new matter.

Applicants respectfully request the above-referenced patent application be placed upon the files for examination.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. 10021476 from which the undersigned is authorized to draw.

Dated: Apr. 11, 2002

Respectfully submitted,

By   
Melissa L. Sistrunk

Registration No.: 45,579  
FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-5151  
(713) 651-5246 (Fax)  
Agent for Applicants

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Dated: April 11, 2002

Signature: Susan Hunter  
(SUSAN HUNTER)

Docket No.: HO-P02021US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Robert J. Schwartz, et al.

Application No.: 10/021,403

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For: ADMINISTRATION OF NUCLEIC ACID  
SEQUENCE TO FEMALE ANIMAL TO  
ENHANCE GROWTH IN OFFSPRING



Customer No. 26271  
(10021476/OTA 00-91/AVSI-009)

Group Art Unit: 1645

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**Box Missing Parts**  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed February 7, 2002, Applicants respectfully submit a Declaration.

Applicants also submit an initial paper copy and initial CRF copy of the sequence listing under a separate transmittal.

A Petition for Extension of Time and a check for \$55 are enclosed and our check in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. 10021476. A duplicate copy of this paper is enclosed.

Dated: April 11, 2002

Respectfully submitted,

By Melissa L. Sistrunk  
Melissa L. Sistrunk

Registration No.: 45,579  
FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-5151  
(713) 651-5246 (Fax)  
Agent for Applicants

1007 4-10  
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Dated: April 11, 2002

Signature:

*Susan Hunter*  
(SUSAN HUNTER)

MP8  
Docket No.: HO-P02021US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Robert J. Schwartz, et al.

Application No.: 10/021,403

Filed: December 12, 2001

For: ADMINISTRATION OF NUCLEIC ACID  
SEQUENCE TO FEMALE ANIMAL TO  
ENHANCE GROWTH IN OFFSPRING



Customer No. 26271  
(10021476/OTA 00-91/AVSI-009)

Group Art Unit: 1645

Examiner: Not Yet Assigned

**TRANSMITTAL LETTER**

Box Sequence/Missing Parts  
Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Response to Notice of Missing Parts dated February 7, 2002;
2. Copy of Notice;
3. Declaration;
4. Petition for Extension of Time;
5. Check for \$65 and check for \$55;
6. Transmittal of Initial Sequence Listing;
7. Paper copy of initial Sequence Listing;
8. Computer Readable Form copy of initial Sequence Listing;

9. Return postcard.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. 10021476. A duplicate copy of this paper is enclosed.


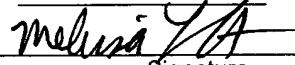
Dated: April 11, 2002

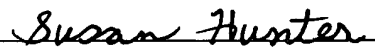
Respectfully submitted,

By   
Melissa L. Sistrunk

Registration No.: 45,579  
FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-5151  
Agent for Applicants

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket No. (Optional) HO-P02021US1											
													
In re Application of Robert J. Schwartz, et al.													
Application Number 10/021,403		Filed December 12, 2001											
For: ADMINISTRATION OF NUCLEIC ACID SEQUENCE TO FEMALE ANIMAL TO ENHANCE GROWTH IN OFFSPRING													
Group Art Unit 1645		Examiner Not Yet Assigned											
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired):</p> <table><tbody><tr><td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td><td>\$ 110.00</td></tr><tr><td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td><td>\$</td></tr><tr><td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td><td>\$</td></tr><tr><td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td><td>\$</td></tr><tr><td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td><td>\$</td></tr></tbody></table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 55.00</p> <p><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. 04/18/2002 HBERHE 00000018 10021403 02 FC:215 55.00 DP</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 06-2375</p> <p>I have enclosed a duplicate copy of this sheet.</p> <p>I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____</p> <p>April 11, 2002 Date</p> <p> Signature Melissa L. Sistrunk Typed or Printed Name</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below</p>				<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 110.00	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 110.00												
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<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$												
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$												
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$												
<input type="checkbox"/> 1 forms are submitted.													

<b>One Month Request for Extension of Time Under 37 CFR 1.136(a)</b>	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU186310115US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.	
Dated: April 11, 2002	Signature:  (Susan Hunter)